

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

KRIS TEPLIN,
Plaintiff,

v.

THE UNITED STATES OF AMERICA, et
al.,
Defendants.

Case No.17-cv-02445-HSG

**ORDER DIRECTING SUPPLEMENTAL
BRIEFING REGARDING DEFENDANT
WENDI JOINER'S CONVICTION**

Re: Dkt. No. 36

On November 14, 2017, Defendant Wendi Joiner filed supplemental briefing regarding this Court's subject matter jurisdiction over Plaintiff Kris Teplin's claim under the Drug Dealer Liability Act, Cal. Health & Safety Code §§ 11700 *et seq.* ("DDLA"). Dkt. No. 36. In her brief, Joiner stated that during initial disclosures, Plaintiff produced court records showing that Joiner "pled guilty to possession for sale of Acetaminophen/Codeine on May 5, 2016," and not "to one count of possession of narcotics with intent to sell," as alleged by Plaintiff. *Id.* at 2. Joiner suggests that this new fact is relevant to the issue of Plaintiff's standing under the DDLA, and requested permission to file supplemental briefing on that issue. *Id.*¹

In any event, Plaintiff and Joiner are directed to submit simultaneous supplemental briefs, not to exceed five pages, focusing on the legal significance of Joiner's conviction for possession for sale of acetaminophen/codeine. The parties should focus on the import of this fact for both the standing and statute of limitations analyses. Defendant United States may also file a supplemental brief if it wishes. The briefs must be submitted by November 29, 2017. No responsive filings will


¹ In her supplemental brief, Joiner stated that she and Plaintiff had stipulated that Joiner could file further supplemental briefing to the Court on the standing issue. Dkt. No. 36 at 2. The parties are reminded that in the future, they must e-file any stipulations as required by Civil Local Rule 7-12.

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be permitted.

IT IS SO ORDERED.

Dated: 11/15/2017


HAYWOOD S. GILLIAM, JR.
United States District Judge